

Pratt & Whitney
400 Main Street
East Hartford, CT 06108



Pratt & Whitney

A United Technologies Company

July 21, 2003

State of Connecticut
Department of Environmental Protection
Bureau of Water Management
Permitting, Enforcement & Remediation Division
79 Elm Street
Hartford, CT 06106-5127



RDMS DocID 00100453

Attn: Gil Richards

FOIA REQUEST CENTER
Pratt & Whitney
CT D 990672081
RDMS # 100453

RE: Response to Comments
Willow Brook Pond Area Draft ELUR
Consent Order SRD-130

Dear Mr. Richards:

I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information is punishable as a criminal offense under §53-a-157b of the Connecticut General Statutes and any other applicable law.

Sincerely,

UNITED TECHNOLOGIES CORPORATION
PRATT & WHITNEY DIVISION

Lorin Sodell
Director, Facilities & Services

Attachment

cc: Lauren Levine, UTC
Brian Cutler, LEA
Juan Perez, EPA



Loureiro Engineering Associates, Inc.

July 21, 2003

**State of Connecticut
Department of Environmental Protection
Bureau of Water Management
Permitting, Enforcement, Remediation Division
79 Elm Street
Hartford, CT 06106-5127**

Attn: Gil Richards

**RE: Response to Comments
Willow Brook Pond Area Draft ELUR
Consent Order SRD-130**

Pratt & Whitney
CTD990672081
R-9

Dear Mr. Richards:

This letter has been prepared in response to comments received by Lauren Levine of United Technologies Corporation in reference to the draft Environmental Land Use Restriction (ELUR) to be recorded for the area within and immediately surrounding Willow Brook and Willow Brook Pond. This letter has been formatted such that the comment is presented and immediately followed by the response in italics. As a number of the comments necessitate revisions to the previously submitted draft, attached to this letter is a revised draft ELUR for your review.

1. The Draft needs to be modified to have the notary signature on the same page as the signature for the Commissioner of DEP.

The draft document has been revised so that the signature block and associated notary signature for United Technologies Corporation, Pratt & Whitney Division appear on a single page and the signature block and associated notary signature for the Commissioner of the DEP appear on a single page.

2. Exhibit B: The Decision Document could be read to state that the "site" is the Willow Brook and Willow Brook Pond portion of the site. That section should read, "Subject Area A, which is approximately 4 acres covers the Willow Brook and Willow Brook Pond portion of the 400 Main Street parcel in East Hartford."

It was intended that the phrase "the Site" was to refer to the Willow Brook and Willow Brook Pond portion of the East Hartford facility. As it is clear from the above comment that we were unsuccessful in our original attempt, we have rewritten the first paragraph of Exhibit B, the Decision Document, to more clearly define "the Site" as only that portion of the 400 Main Street facility known as Willow Brook and Willow Brook Pond.



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3. Table 1 was not included in the package submitted.

This inadvertent oversight has been corrected.

4. Subject Area A is considered the entire site in Exhibit B. Additional information is needed concerning how residential uses will be prevented on this parcel which abuts the back yard of residential properties and presents an attraction to children.

The entirety of the Site is surrounded by a 6-foot chain link fence. Access to this area is limited through locked access gates. Keys to the gates are maintained by a minimal number of individuals employed by United Technologies Corporation, Pratt & Whitney Division. In addition, United Technologies Corporation, Pratt & Whitney Division maintains an onsite security force with a number of responsibilities, one of which is maintaining the site free and clear of trespassers. While the potential exists that a trespasser may illegally gain access to the area, the establishment of residential activities typical of a playground or outdoor recreational area is limited by the above measures.

5. Subject Area B states that the polluted soil is beneath an engineered control. The initial reference to an “engineered control” should include a reference to the specifics provided in Exhibit D. For ease of interpretation, it would also be useful for the figure in Exhibit B to include typical profiles of the various engineered controls.

The initial reference to the engineered control, under the section heading of Subject Areas B and C, has been modified to address the text description of the engineered control as provided in Exhibit D. In addition, a reference to details, now included on a new map, Map C (see response to Comment 9) has also been added.

6. The boundaries of the “no dig area” needs to be more easily definable in the field. This could be a simplified shape, independent of the actual limits of the engineered control. For example concrete markers could be placed along the top of bank to designate the area. Such features also need to be presented on the map.

With one exception, the engineered control within the stream channel of Willow Brook west of the Lower Willow Brook Pond (Subject Area C) was installed to the lateral extent of the area that would be inundated during a 10 year flood event. The single exception is the wetlands, located north of the stream channel. The area of the wetlands was restored to meet residential standards. The entirety of the southern bank of the stream channel from the dam west to Main Street and the northern bank of the stream channel from the dam to the eastern limit of the wetlands and from the western limit of the wetlands to Main Street were dressed with rip rap from the bottom of the stream channel up the side slopes to the 10-year flood elevation. Above that elevation, the banks are dressed with



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vegetative cover. The demarcation from rip-rap to vegetation is evident in the field. We recommend the use of that demarcation as the limits of the "no dig area" for the stream channel and respectfully request your concurrence. With regard to the northern limit of the stream channel "no dig area" south of the wetlands, we recommend the use of the coir fiber BioLog which separates the stream channel from the wetlands. The BioLog is shown on the maps provided in Exhibit B. While the BioLog will deteriorate over a period of several years, an established line of vegetation will take its place. We recommend the use of the BioLog as the demarcation of the limits of the "no dig area" for the stream channel in that area and respectfully request your concurrence

Similar to the stream channel, the engineered control within Upper Willow Brook Pond and Lower Willow Brook Pond has been extended to the 28-foot elevation. This is coincident with the historic water surface elevation in the bodies of water. The banks of Upper Willow brook Pond and Lower Willow Brook Pond have been dressed with rip rap from the bottom of the bodies of water up the side slopes to the 28-foot elevation. Above that elevation, the banks are dressed with vegetative cover. The demarcation from rip-rap to vegetation is evident in the field. We recommend the use of that demarcation as the limits of the "no dig area" for the Upper Willow Brook Pond and Lower Willow Brook Pond and respectfully request your concurrence.

The land bridge between the upper and lower sections of Willow Brook Pond is an irregularly shaped area. However, this area is completely within the previously mentioned chain link fence (response to Comment 4), which makes up the northern and southern bounds of the area. The eastern bound could be defined as the concrete abutment located on the southern bank of the Upper Willow Brook Pond. The western bound could be defined as the concrete storm drain outfall structure located adjacent to the line label L 95 on Maps B and C. We recommend the use of the chain link fence (north and south), the concrete abutment (east) and the concrete outfall structure (west) to demarcate the limits of the engineered control in the land bridge and respectfully request your concurrence.

7. Since the engineered control is separated into two sections by the dam, it either needs to be presented as two separate area (B & C) or a single area that actually includes the dam as a permanent structure rendering soil inaccessible. In that case the green lines would be joined to create a single area.

The engineered control has been separated as two areas, Area B and Area C. The documents have been revised to address this differentiation.



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8. The reference to Pollutant Mobility issues in the Decision Document appears to be an oversight. Please clarify whether the engineered control was also installed render soils environmentally isolated.

This inadvertent oversight has been corrected. The engineered control was installed to render soils both inaccessible and environmentally isolated. However, it should be noted that the engineered control is, in most instances, a sub-aqueous feature.

9. The ELUR areas should be presented on one single map.

A third map has been added to Exhibit B. This third map, Map C, represents a composite of Maps A and B and also includes graphic details of the engineered control.

10. That map needs to specifically label "Subject Area A" and "Subject Area B".

Each of the maps provided in Exhibit B have been modified to include labels defining each of the subject areas.

11. Why bridge is bisected by two separate areas and not one.

This was not interpreted as a comment requiring a response. Modifications made to address the limits of the engineered control have been provided in response to Comments 5, 6, and 7.

12. The request for waiver of subordination requirements asks the Department to provide a written finding that certain minor land interests don't require subordination to the ELUR. Regulations for the ELUR, 22a-133q, include provisions for your attorney to provide a signed certification regarding interests that do not require subordination to be filed as part of the ELUR. The Department does not provide this finding.

We appreciate the clarification on this issue. Any necessary subordination documentation will be provided at the appropriate time in the filing process.

We hope that the above responses and the attached revised draft Environmental Land Use Restriction meet with your satisfaction. If you should have additional questions or comments regarding the contents of this letter or any other aspect of this project, please do not hesitate to contact me or Lauren Levine of United Technologies Corporation.

In accordance with Paragraph B.8 of the above referenced Consent order, I hereby certify that:



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July 18, 2003

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I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information is punishable as a criminal offense under §53-a-157b of the Connecticut General Statutes and any other applicable law.

Sincerely,

LOUREIRO ENGINEERING ASSOCIATES, INC.

Brian A. Cutler, P.E., L.E.P.
Senior Vice President

Attachment

**DECLARATION OF ENVIRONMENTAL LAND USE RESTRICTION
AND GRANT OF EASEMENT**

This Declaration of Environmental Land Use Restriction and Grant of Easement is made this ____ day of October, 2002, between United Technologies Corporation, Pratt & Whitney Aircraft Division ("the Grantor") and the Commissioner of Environmental Protection of the State of Connecticut ("the Grantee").

W I T N E S S E T H:

WHEREAS, Grantor is the owner in fee simple of certain real property (the "Property") known as the area within Willow Brook and Willow Brook Pond at the UTC/Pratt & Whitney manufacturing facility located at 400 Main Street in East Hartford, Connecticut, Hartford County designated as Lots 225, 226 and 229 of Map 11 and Lots 1 and 2 of Map 22, of the City of East Hartford, Hartford County, more particularly described in Exhibit A which is attached hereto and made a part hereof; and

WHEREAS, the Grantee has determined that the environmental land use restriction set forth below is consistent with regulations adopted by him pursuant to Section 22a-133k of the Connecticut General Statutes; and

WHEREAS, the Grantee has determined that this environmental land use restriction will effectively protect public health and the environment from the hazards of pollution; and

WHEREAS, the Grantee's written approval of this environmental land use restriction is contained in the document attached hereto as Exhibit B (the "Decision Document") which is made a part hereof; and

WHEREAS, the property or portion thereof identified in the class A-2 survey ("the Subject Area"), a copy of which is attached hereto as Exhibit C which is made a part hereof, contains pollutants; and

WHEREAS, to prevent exposure to or migration of such pollutants and to abate hazards to human health and the environment, and in accordance with the Decision Document, the Grantor desires to impose certain restrictions upon the use, occupancy, and activities of and at the Subject Area, and to grant this environmental land use restriction to the Grantee on the terms and conditions set forth below; and

WHEREAS, Grantor intends that such restrictions shall run with the land and be binding upon and enforceable against Grantor and Grantor's successors and assigns.

NOW, THEREFORE, Grantor agrees as follows:

1. Purpose. In accordance with the Decision Document, the purpose of this Environmental Land Use Restriction is to assure that the Site, which is described as Subject Area A, is not used for residential activities; and that humans are not exposed to soils at Subject Area B polluted with substances in concentrations exceeding the direct exposure and/or pollutant mobility criteria established in R.C.S.A. sections 22a- 133k-1 through 22a-133k-3, inclusive, which area is equipped with an engineered control.
2. Restrictions Applicable to the Subject Area. In furtherance of the purposes of this environmental land use restriction, Grantor shall assure that use, occupancy, and activity of and at the Subject Area are restricted as follows:
 - A. Use. No residential use of the Site, which is described as Subject Area A, shall be permitted.
 - B. Disturbances. Soil, under the defined engineered control, which is identified as Subject Area B and Subject Area C, shall not be disturbed in any manner by activities such as digging, excavation, tunneling, and other intrusive activities.
3. Except as provided in Paragraph 4 below, no action shall be taken, allowed, suffered, or omitted if such action or omission is reasonably likely to:
 - i. Create a risk of migration of pollutants or a potential hazard to human health or the environment; or
 - ii. Result in a disturbance of the structural integrity of any engineering controls designed or utilized at the Property to contain pollutants or limit human exposure to pollutants.
4. Emergencies. In the event of an emergency which presents a significant risk to human health or the environment, the application of Paragraph 3 above may be suspended, provided such risk cannot be abated without suspending such Paragraph and the Grantor:
 - i. Immediately notifies the Grantee of the emergency;
 - ii. Limits both the extent and duration of the suspension to the minimum reasonably necessary to adequately respond to the emergency;
 - iii. Implements all measures necessary to limit actual and potential present and future risk to human health and the environment resulting from such suspension; and
 - iv. Implements a plan approved in writing by the Grantee, on a schedule approved by the Grantee, to ensure that the Subject Area is remediated in accordance with R.C.S.A. sections 22a-133k-1 through 22a-133k-3, inclusive, or restored to its condition prior to such emergency.
5. Release of Restriction; Alterations of Subject Area. Grantor shall not make, or allow or suffer to be made, any alteration of any kind in, to, or about any portion of any of the Subject

Areas inconsistent with this environmental land use restriction unless the Grantor has first recorded the Grantee's written approval of such alteration upon the land records of the Town of East Hartford. The Grantee shall not approve any such alteration and shall not release the Subject Area from the provisions of this environmental land use restriction unless the Grantor demonstrates to the Grantee's satisfaction that Grantor has remediated the Subject Area in accordance with R.C.S.A. sections 22a-133k-1 through 22a-133k-3, inclusive.

6. Grant of Easement to the Grantee. Grantor hereby grants and conveys to the Grantee, his agents, contractors, and employees, and to any person performing pollution remediation activities under the direction thereof, a non-exclusive easement (the "Easement") over the Subject Area and over such other parts of the Property as are necessary for access to the Subject Area or for carrying out any actions to abate a threat to human health or the environment associated with the Subject Area. Pursuant to this Easement, the Grantee, his agents, contractors, and employees, and any person performing pollution remediation activities under the direction thereof, may enter upon and inspect the Property and perform such investigations and actions as the Grantee deems necessary for any one or more of the following purposes:

- i. Ensuring that use, occupancy, and activities of and at the Property are consistent with this environmental land use restriction;
- ii. Ensuring that any remediation implemented complies with R.C.S.A. sections 22a-133k-1 through 22a-133k-3, inclusive;
- iii. Performing any additional investigations or remediation necessary to protect human health and the environment.

7. Notice and Time of Entry onto Property. Entry onto the Property by the Grantee pursuant to this Easement shall be upon reasonable notice and at reasonable times, provided that entry shall not be subject to these limitations if the Grantee determines that immediate entry is necessary to protect human health or the environment.

8. Notice to Lessees and Other Holders of Interests in the Property. Grantor, or any future holder of any interest in the Property, shall cause any lease, grant, or other transfer of any interest in the Property to include a provision expressly requiring the lessee, grantee, or transferee to comply with this environmental land use restriction and Grant of Easement. The failure to include such provision shall not affect the validity or applicability to the Property of this environmental land use restriction and Grant of Easement.

9. Persons Entitled to Enforce Restrictions. The restrictions in this environmental land use restriction on use, occupancy, and activity of and at the Property shall be enforceable in accordance with section 22a-133p of the General Statutes.

10. Severability and Termination. If any court of competent jurisdiction determines that any provision of this environmental land use restriction or Grant of Easement is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity and enforceability as determined by such court. In the event that

the provision invalidated is of such nature that it cannot be so modified, the provision shall be deemed deleted from this instrument as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect. Further, in either case, the Grantor shall submit a copy of this restriction and of the judgment of the Court to the Grantee in accordance with R.C.S.A. section 22a-133q-1(1). This environmental land use restriction shall be terminated if the Grantee provides notification pursuant to R.C.S.A. section 22a-133q-1(1).

11. Binding Effect. All of the terms, covenants and conditions of this environmental land use restriction and grant of easement shall run with the land and shall be binding on the Grantor, the Grantor's successors and assigns, and each owner and any other party entitled to possession or use of the Property during such period of ownership or possession.

12. Terms Used Herein. The definitions of terms used herein shall be the same as the definitions contained in sections 22a-133k-1 and 22a-133q-1 of the Regulations of Connecticut State Agencies as such sections existed on the date of execution of this environmental land use restriction.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Declaration of environmental land use restriction and Grant of Easement as of this ____ day of ?????, 2003

Witnesses:

GRANTOR:

UNITED TECHNOLOGIES CORPORATION,
PRATT & WHITNEY DIVISION

By: _____

Printed Name: _____

Title: _____

STATE OF CONNECTICUT)

SS.

The foregoing instrument was acknowledged before me this ____ day of _____, 2003_____, the _____ of UNITED TECHNOLOGIES CORPORATION, PRATT & WHITNEY DIVISION, a Delaware corporation, on behalf of said corporation.

Commissioner of the Superior Court

Notary Public

My commission expires:

Witnesses:

GRANTEE:

COMMISSIONER OF ENVIRONMENTAL
PROTECTION OF THE
STATE OF CONNECTICUT

By: _____

Printed Name: _____

Title: _____

STATE OF CONNECTICUT)
)
COUNTY OF _____)

ss. _____

The foregoing instrument was acknowledged before me this ____ day of October, 2002
_____, the COMMISSIONER OF ENVIRONMENTAL PROTECTION OF THE STATE
OF CONNECTICUT .

Commissioner of the Superior Court
Notary Public
My commission expires:

Latest Mailing Address of Grantee:
Commissioner of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

EXHIBIT A
Property Description
(Maps Included)

Property Description

UTC/Pratt & Whitney Main and Willow Street East Hartford, Connecticut

This description is based on a map prepared by Rourke Surveying LLC, 1487 New Haven Road, Naugatuck, Connecticut on 6/10/01.

Parcel beginning at a point at the easterly line of Main Street and the northerly line of Willow Street at the southwesterly corner of the property now or formerly owned by United Technologies Corporation, Pratt & Whitney Aircraft.

Thence proceeding north $25^{\circ}17'56''$ west for a distance of 103.62 feet to an iron pin at the northwesterly side of the property now or formerly owned by United Technologies Corporation Pratt & Whitney Aircraft.

Thence proceeding northerly $25^{\circ}17'56''$ west for a distance of 52.72 feet to a monument.

Thence proceeding north $63^{\circ}38'40''$ east for a distance of 21.96 feet.

Thence proceeding at a perpendicular angle north $25^{\circ}17'56''$ across an existing culvert for a distance of 41.24 feet.

Thence proceeding at a perpendicular angle south $63^{\circ}06'10''$ west for a distance of 20.79 feet to a monument on the easterly side of Main Street.

Thence proceeding north $29^{\circ}05'14''$ for a distance of 39.63 feet to an iron pin located at the southwesterly corner of the property now or formerly known as United Technologies Corporation, Pratt & Whitney Aircraft said property being described in a Life Estate Agreement with Julia M. Mizla and Cyril M. Mizla of Main Street, East Hartford, recorded in Volume 1923 Page 199 of the East Hartford Land Records.

Thence proceeding north $61^{\circ}20'19''$ east for a distance of 130.18 feet to an iron pin.

Thence proceeding north $46^{\circ}48'52''$ east for a distance of 52.27 feet to an iron pin.

Thence proceeding north $14^{\circ}43'20''$ east for a distance of 111.52 feet to an iron pin.

Thence proceeding south $63^{\circ}33'26''$ west for a distance of 208.76 feet to a point at the northwesterly corner of the property now or formerly owned by United Technologies Corporation Pratt & Whitney that is the subject of the Life Estate Agreement with Julia M. Mizla and Cyril M. Mizla of Main Street, East Hartford.

Thence proceeding north $29^{\circ}05'14''$ east for a distance of 56.93 feet to a point at the southwesterly corner of the property now or formerly owned by Joseph Slonim and Archie Mazzoiotte.

Thence proceeding north 73°47'40" east for a distance of 229.97 feet to a point at the southeasterly corner of the property now or formerly owned by Joseph Slonim and Archie Mazzoiotte.

Thence proceeding north 73°47'40" east for a distance of 259.75 feet to a point.

Thence proceeding north 31°37'17" east for a distance of 180.33 feet.

Thence proceeding north 20°01'08" east for a distance of 50.62 feet crossing a culvert, and

Thence proceeding north 32°23'08" east across an existing culvert for a distance of 102.46 feet.

Thence proceeding north 68°19'20" east for a distance of 91.35 feet to a point at the southeasterly corner of property now or formerly owned by Margorie & C Taylor.

Thence proceeding north 79°26'43" east for a distance of 180 feet across a 10-foot drainage right-of-way to a point at the southeasterly corner of the property now or formerly owned by Lize-Ann Barker and the northwesterly corner of the property now or formerly owned by Karen A. Pelkey.

Thence proceeding south 08°54'52" east for a distance of 147.33 feet to a point at the southwesterly corner of the property now or formerly owned by Judith C. & Leroy M. Bidwell.

Thence proceeding north 76°49'26" east for a distance of 497.66 feet to a monument.

Thence proceeding north 20°55'30" east for a distance of 112.35 feet to a monument.

Thence proceeding north 03°28'39" west for a distance of 90 feet to a monument.

Thence proceeding north 75°21'51" for a distance of 65.90 feet to a point at the southwesterly corner of the property now or formerly owned by Earl and Jewel M. Divorse.

Thence proceeding north 76°27'51" east for a distance of 178.48 feet to an iron pin.

Thence proceeding north 79°22'51" east for a distance of 359.08 feet to a point at the southeasterly corner of the property now or formerly owned by Steven P. Lazicki.

Thence proceeding north 03°39'25" west for a distance of 373.64 feet to a monument on the southerly side of Sisson Street in East Hartford, Connecticut.

Thence proceeding north 79°27'25" east for a distance of 130.18 feet to a monument at the corner of the southerly side of Sisson Street and the westerly side of Mercer Avenue.

Thence proceeding south 37°17'5" east for a distance of 421.98 feet to a point.

Thence proceeding south 10°37'5" east for a distance of 781.47 feet to a point on the northerly side of Willow Street.

Thence proceeding south $79^{\circ}38'30''$ west for a distance of 1,516.61 feet to a point on the northerly side of Willow Street.

Thence proceeding south $79^{\circ}38'30''$ west for a distance of 416.46 feet to a point at the corner of the northerly side of Willow Street and the easterly side of Main Street, which is the point of the beginning.

Said property is identified, in whole or in part, on Map 22, Lots 1 and 2, and Map 11, Lots 225, 226 and 229 in the Town of East Hartford Land Records.

EXHIBIT B

Decision Document

Exhibit B

Decision Document Environmental Land Use Restriction For Willow Brook and Willow Brook Pond East Hartford, Connecticut

The purpose of this document is to describe: 1) the type and location of pollutants in the soil or groundwater at the specific areas noted below which are located at a portion of the United Technologies Corporation/Pratt & Whitney Division (UTC/P&W) property located at 400 Main Street in East Hartford, Connecticut known as the Willow Brook and Willow Brook Pond Remediation Area (the Willow Brook and Willow Brook Pond Remediation Area is hereinafter referred to as “the Site”) for which an environmental land use restriction (“ELUR”) is necessary; 2) the provisions of the environmental land use restriction (“ELUR”) and the reasons why such restrictions or limitations on a portion of the Site are necessary to adequately protect human health and the environment; and 3) why the ELUR is consistent with the Remediation Standard Regulations, Sections 22a-133k-1 through 22a-133k-3 of the Regulations of Connecticut State Agencies (“RCSA”).

The ELUR prohibits certain activities at the Site within those Areas that are designated on Exhibit C as Subject Areas A, B, and C.

Subject Area A

As shown on the attached maps, Map A and Map C (Exhibit C), Subject Area A, which is approximately 7.2 acres, covers the entirety of the Site. Pollutants in soil exceed the residential direct exposure criteria, as defined in Section 22a-133k-1 of the RCSA, but are present at concentrations that are less than the industrial/commercial direct exposure criteria. A list of the pollutants that exceed the residential direct exposure criteria (RDEC) is included in Table 1. If the Site was used for residential purposes, the pollutants present in the soil may pose an unacceptable risk to human health. However, provided the Site is used only for industrial/commercial activities, as defined in Section 22a-133k-1 of the RCSA, the pollutants present in the soil do not pose an unacceptable risk to human health. The ELUR prohibits the use of the site for residential purposes, as required by Section 22a-133k-2(b)(2)(A)(ii) of the RCSA.

Subject Areas B and C

As shown on the attached maps, Map B and Map C (Exhibit C), Subject Area B covers the Upper and Lower Willow Brook Pond and the land bridge in between the ponds, and is approximately 2.6 acres. As shown on the attached maps, Map B and Map C (Exhibit C), Subject Area C covers Willow Brook from the Lower Willow Brook Pond to the Main Street Culvert, and is approximately 1 acre. In these subject areas, pollutants in the soil exceed the industrial/commercial direct exposure criteria (IDEC) and/or pollutant mobility criteria (PMC), as defined in Section 22a-133k-1 of the RCSA. A list of the pollutants that exceed the IDEC and/or the PMC is included in Table 1. The polluted soil is located beneath an engineered control, which has been approved by the Commissioner of Environmental Protection pursuant to Section 22a-133k-2(f)(B). The physical construction of the engineered control is discussed in Exhibit D and details of the engineered control are depicted on Map C in Exhibit B. In addition, the

polluted soil does not pose a risk to human health, provided the engineered control is not disturbed such that people may come into contact with polluted soil. If humans were to come into contact with soil polluted with substances listed in Table 1, these substances may pose an unacceptable risk to human health. Such polluted soil does not pose a risk to groundwater quality provided that the engineered control is not disturbed in any manner, which may compromise the control or expose underlying polluted soils. The ELUR prohibits disturbance to the engineered control or underlying polluted soil in accordance with 22a-133k-2 (f)(2)(B)(iv) of the RCSA.

[Public Notice of Grantor's intent to record the ELUR was published in the Name of Newspaper on Date. No comments from the public were received during the 30 day comment period (or a summary of the public comments are as follows:).]

Approval of this Decision Document is hereby granted.

Date

Arthur J. Rocque, Jr.
Commissioner of Environmental Protection

Table 1

| Subject Area | Environmental Land Use Restriction | Criteria Exceeded | Pollutants |
|--------------|--|--|---|
| A | No residential use of the Subject Area shall be permitted. | Residential Direct Exposure Criteria | <i>Inorganics</i> polychlorinated biphenyls <i>SVOCs</i> benzo[a]anthracene benzo[b]fluorene benzo[a]pyrene <i>VOCs</i> total petroleum hydrocarbons |
| B and C | Soil, under the defined engineered control, which is identified as Subject Area B and Subject Area C, shall not be disturbed in any manner by activities such as digging, excavation, tunneling, and other intrusive activities. | Industrial/Commercial Direct Exposure Criteria and/or GB Pollutant Mobility Criteria | <i>Inorganics</i> polychlorinated biphenyls <i>SVOCs</i> benzo[a]anthracene benzo[b]fluorene benzo[k]fluoranthene benzo[a]pyrene chrysene <i>VOCs</i> total petroleum hydrocarbons |

Notice of Intent to Record An Environmental Land Use Restriction

United Technologies Corporation/Pratt & Whitney Division (owner) gives notice that it intends to record Environmental Land Use Restrictions pertaining to the parcels of land known as Assessor's Lots 225, 226 and 229 of Map 11 and Lots 1 and 2 of Map 22, of the Town of East Hartford, Connecticut, under Sections 22a-133n through 133s of the Connecticut General Statutes and Section 22a-133q-1 of the Regulations of Connecticut State Agencies.

The purpose of the proposed Environmental Land Use Restriction is to minimize the risk of human exposure to pollutants and hazards to the environment by restricting the future use of the site and prohibiting certain activities on such property, such as the disturbance of certain soils and the disturbance of an engineered control. Interested persons may obtain a copy of the proposed Environmental Land Use Restriction by contacting Mr. Martin D'Eramo, Public Affairs, Pratt & Whitney, 400 Main Street, M/S 105-32, East Hartford, CT 06108, Tel. 860-565-6944. Public comments on the proposed Environmental Land Use Restriction may be submitted in writing to Mr. Gil Richards, Connecticut Department of Environmental Protection, Bureau of Water Management, 79 Elm St., Hartford, CT 06106 within thirty days after publication of this notice.

EXHIBIT C

A-2 Survey

EXHIBIT D
Engineered Control

Exhibit D

Description of Engineered Control Environmental Land Use Restriction For Willow Brook and Willow Brook Pond East Hartford, Connecticut

Following the excavation and offsite disposal of soil and sediment containing PCBs at concentrations greater than 25 parts per million, the entirety of Upper Willow Brook Pond, Lower Willow Brook Pond, the land bridge between Upper and Lower Willow Brook Pond and the stream channel from the west of the dam on Lower Willow Brook Pond to the culvert at Main Street were restored through the installation of an engineered control. The limits of the engineered control are described on Maps B and C in Exhibit C. The physical construction of the engineered control is described in greater detail below.

Upper and Lower Willow Brook Pond Engineered Control

The base of the sub-aqueous pond bottom engineered control consists of a non-woven geotextile, a 9-inch layer of organic rich soil overlain by a second layer of non-woven geotextile. Above this, 21-inches (minimum) of granular sandy gravel was placed and compacted with a surface treatment consisting of 6-inches (minimum) 4-inch angular trap rock.

Oil/Water Separator Engineered Control

The engineered control within the Oil/Water Separator Area (the land bridge between Upper and Lower Willow Brook Pond) consists of a 40-mil thickness high-density polyethylene liner overlain by a geotextile drainage grid with non-woven textile to facilitate subsurface drainage of the area. This membrane liner system is overlain by 30-inches of granular sandy gravel with 6-inches of topsoil and a vegetative grass layer.

Stream Channel Engineered Control

The sub-aqueous engineered control within the stream channel consists of a non-woven geotextile, a 9-inch layer of organic rich soil as detailed above, overlain by a second layer of non-woven geotextile, overlain by 15-inches of modified riprap, overlain by 12-inches of gravel with cobbles. The riprap erosion protection was extended up the channel side slopes, to at least the 10-year flood elevation, to mitigate potential future erosion and to stabilize the relatively steep embankments.

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MAP A: ENVIRONMENTAL LAND USE RESTRICTIONS

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MAP C: ENVIRONMENTAL LAND USE RESTRICTIONS

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